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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Twenty-second session

SUMMARY RECORD OF THE 13th MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 3 May 2000, at 3 p.m.

Chairperson: Mrs. BONOAN-DANDAN

later: Mr. CEAUSU
(Vice-Chairperson)

later: Mrs. BONOAN-DANDAN
(Chairperson)

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GE.00-41800 (E)

The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (continued)

Initial report of Egypt (E/1990/5/Add.38; HRI/CORE/1/Add.19; E/C.12/Q/EGY/1; HR/CESCR/NONE/2000/6) (continued)

1. At the invitation of the Chairperson, the members of the Egyptian delegation resumed their places at the Committee table.

2. The CHAIRPERSON invited the delegation to continue its responses to the issues raised at the previous meeting.

3. Mr. KHALIL (Egypt) said that in the event of a marital dispute Egyptian law called for arbitration efforts to play a significant role. During a grace period, a court-appointed arbitrator was assigned the task of working with the family members to bring about reconciliation in the interests of the family unit. Under a new law adopted in 2000, the procedure would involve the social services to help in the reconciliation effort and to defend the interests of the children. Female excision was prohibited by the Ministry of Health and was considered a crime. The practice had practically disappeared from all major cities, and only a few cases had been reported in remote rural areas. The Government was continuing its educational and public information efforts to eradicate female genital mutilation. In some rural areas the marriage of girls under the legal age had persisted despite efforts to prohibit the practice. Parents sometimes resorted to the falsification of documents, or carried out unofficial marriage ceremonies to circumvent the prohibition. The Government was, however, continuing its efforts to stop early marriage by means of education campaigns.

4. Until 1997 it had been true that women workers had different rights depending on whether they were employed in the public or private sectors. Act No. 12 of 1996 had standardized the leave granted to women irrespective of whether they were public servants or private employees. Under the Labour Code, the minimum age for employment was set at 14, as by that age the child should have completed his or her compulsory education. A 1993 law had raised the level of allowable deductions for pensions and alimony. Current rates varied from 25 per cent to 40 per cent of wages. Up to a certain limit, widows were allowed to cumulate the pensions of their deceased husbands with their own.

5. Mr. PILLAY expressed concern about the housing problem in Egypt. The economic reforms and restructuring had reportedly worsened the housing shortage, especially for the low and limited-income groups who, according to the delegation, accounted for some 85 per cent of the population in urban areas. A law adopted in 1996 had lifted rent control, and as a result many poor and low-income families could not afford housing, the cost of which had subsequently increased. There was a shortage of low-cost housing units. According to the replies to the list of issues, some 228,000 housing units had been built in two years. Did that

figure cover only public housing units or private ones as well? The Government's objective for the period from 1996 to 2001 had reportedly been to build just 30,000 units. Could the delegation explain why that figure was so low?

6. The loans offered to those who wished to buy or build housing were unaffordable for most people. Between 30 and 40 per cent of the population lived below the poverty line. The number of housing units made available to young persons was just 2,000, while demand was estimated at 42,000, and those units which were constructed and allocated reportedly often went to persons who did not qualify for them. The State had proceeded with the forced eviction not only of farmers, but also of persons living in the Hilwan suburb of Cairo in January 1997 and others. All those forced evictions had apparently been carried out in violation of the guidelines contained in General Comment 7 adopted by the Committee. Some 14,000 persons had reportedly been living in cemeteries in 1976. Did the Government have any more recent statistics on the number of cemetery-dwellers? Was homelessness a problem in Egypt, and if so, what measures had the Government undertaken to deal with it?

7. Mr. SADI, noting the many efforts made by the Government to alleviate the housing crisis and pointing out the persistence of that problem, inquired about the Government's long-term policy in that regard. Was the Government contemplating a new policy to overcome the crisis? What impact had privatization, which appeared to be one of the hallmarks of the Egyptian economy, had on the housing situation? Had it made the problem worse, or alleviated it?

8. The quality of the food and water supply was an important factor in ensuring an adequate standard of living. Was food sufficiently safe? Did the Government exercise control over the use of pesticides and insecticides? There had been reports of high rates of kidney disorders owing to contamination of the water supply. An unhealthy food and water supply would adversely affect not only human rights, but the country's economy as well.

9. Mr. GRISSA said that he understood that there were large migratory movements in Egypt, with rapid urbanization in Cairo and near the Suez Canal, and new large-scale irrigation projects in the Sinai and the western desert regions. Did the housing shortage affect the entire country, or was it confined to Cairo and the larger cities? In many countries, population mobility had outstripped new housing construction in areas attracting migration and had left housing units vacant in the countryside. Had that occurred in Egypt?

10. Mr. TEXIER noted that according to the Human Development Report of the United Nations Development Programme, some 13 per cent of the population lacked access to drinking water, 22.9 per cent could not meet their basic needs and about 8 per cent suffered from hunger. The mortality rate for children under five stood at 7.3 per cent. What specific measures had been adopted to eradicate or alleviate poverty? Had any steps been taken for instance to reduce the disparity between the situations in the north and the south? He had understood that under Act No. 4 of 1996, once the contractual relationship between a landholder and a tenant farmer had lapsed, there was no possibility to extend it. Was that the case, and if so, how had the Government undertaken to defend the interests of the tenant farmers?

11. The Committee had received a good deal of information on the forced eviction of various groups. In January 1997, for example, there had reportedly been violent incidents in the old city of Cairo owing to evictions to allow for the demolition of the homes of some 75 families. According to the information at the Committee's disposal, those families had not been offered any alternative housing. The Committee had adopted General Comment 4 and General Comment 7, respectively on the right to adequate housing and on forced evictions. They established that all persons should enjoy a degree of security of tenure, that any eviction must take place after consultation with the tenants with a view to avoiding or at least minimizing the need to use force, and that legal remedies or procedures should be provided for those affected. Relocation efforts must be made in conditions acceptable to the affected persons. How did the legislation in Egypt deal with collective and individual evictions?

12. Mr. THAPALIA asked whether the number of people living below the poverty line had increased or decreased in the past five years. Could the delegation describe any special initiatives taken by the Government to empower persons living in poverty?

13. Mr. WIMER ZAMBRANO noted that according to the initial report, some 2.4 million housing units had been built in the period from 1981 to 1994, and that in the reply to the list of issues the Government stated that from 1996 to 1998 only 228,000 units had been built. It would appear that the pace of construction had declined. Was that the case? Did the Government have an estimate of the actual shortage in the number of housing units?

14. Mr. KHALIL (Egypt) acknowledged that the housing shortage was a serious problem in Egypt. As the Government had stated in its reply to question 30 of the list of issues, the cost of leasing land had previously been set at such an infinitesimally low level that tenant farmers had had no incentive to cultivate efficiently and had often neglected the land that they were leasing. The cost had had no relation with the land's productivity or market value. To rectify that situation, the law had provided for a period of five years during which the tenants would be able to put their affairs in order, after which market forces would prevail. Those tenants who had their homes on leased agricultural land were offered alternative housing and land elsewhere. Many had preferred to remain on the same land, and had agreed to pay the higher costs reflected by the land's market production value. As a result, their productivity had increased.

15. The Government, having observed the serious deterioration of housing units and the lack of investment to refurbish them, had proceeded with the eviction of certain tenants. The level of rents paid for some of those units had been extremely low, which meant that the buildings' owners could not have afforded to carry out renovations even if they had wished to. Those who were evicted had to find housing on the open market. The level of rent for new housing units was set by the market forces of supply and demand. Naturally, that meant that much private investment had gone into housing construction, thus somewhat relieving the State of the burden of financing new construction. The State had nonetheless invested a large sum in housing construction, in particular through the granting of soft loans to facilitate the purchase and construction of inexpensive units by people with incomes under 15,000 Egyptian pounds and by young persons. Funding for such loans came from businessmen, international organizations, charitable organizations, donor countries and cooperatives.

16. Another problem the Government had had to deal with was illegal housing construction by people from rural areas who had migrated to the cities. Such districts often lacked any services or infrastructure. There were upwards of 900 districts that had thus sprung up. The Government had demolished over 80 of them, and had established nearly 90 new developments with electricity, water and other services. The State had earmarked 3 billion Egyptian pounds for the development of 81 more. Egyptian law provided for the administrative eviction of tenants for reasons of public interest, such as the construction of roads, railways or other infrastructure. It also permitted eviction if the building occupied by the tenant was seriously dilapidated. Such evictions resulted in offers of adequate and less expensive housing for the tenant, and also in other forms of compensation.

17. The Egyptian Government had adopted a number of poverty reduction initiatives, including job creation, training and small business incentive programmes. Many enterprises had thus been established with government support, in particular in the form of raw materials and services. The Government provided incentives for young people to move to new cities and regions such as those in the Tushka valley and the Sinai. As a result the level of migration to cities had slowed in recent years.

18. Mr. SALAMA (Egypt), referring to the human rights dimension of the housing problem, said that legislation had been progressively adopted to abolish rent controls on houses and cultivated land. He was aware that economic, social and cultural rights were also affected by non-human rights factors, such as the market. The market was currently penalizing investors and people were compelled to resort to middle-cost housing. Further, there was an accidental contradiction with regard to economic, social and cultural rights. The Government provided legal guarantees against eviction, but in some cases eviction was necessary because people were building on land which they did not own and which lacked basic infrastructures. Although land was expensive, it sometimes ended up in the hands of investors who did not use it for construction. A commission of inquiry was looking into such abuses.

19. Mr. SADI, observing that any measure that could reduce overcrowding must be attempted, suggested that the authorities should create economic centres outside the major cities so that people could live near their place of work. Had the Government given thought to developing areas remote from Cairo which would attract a sizeable proportion of the city's inhabitants, or to a more ambitious scheme to create new commercial and industrial centres?

20. Mr. PILLAY asked whether the delegation agreed that it was important to determine what proportion of the Egyptian population lived below the unofficial poverty line. Earlier studies had shown that one quarter of the population were poor by any standards and that one quarter lived on the margins of poverty. Structural adjustment programmes obviously affected the poor more than the rich, and women more than men. He asked what outcome the delegation expected from the deregulation of leasing arrangements, other than dwellings without dwellers and dwellers without dwellings. With 100 million urban and 500,000 rural apartments unoccupied, the gap between rich and poor was widening, prompting UNDP to describe Egypt as a "failed State". He wondered whether tenants' existing difficulties would not be exacerbated by enactment of the draft occupants' union law, which would require them to pay for upkeep of their homes.

21. Mr. WIMER ZAMBRANO requested a reply to his earlier question regarding the shortfall in the number of housing units in the country.

22. Mr. KHALIL (Egypt) said that 11 new townships comprising 32,000 housing units had been built and endowed with all basic services to encourage commuting from those areas, the authorities also intended to bring some government premises to those areas so that people's offices would be nearer their homes. The law did not intervene in rental matters. Act No. 96 had deregulated leasing arrangements, which would henceforth be subject to supply and demand. With the glut in the real estate market, caused by the greater availability of housing units, rents had fallen in most areas, although in a few it had sometimes risen for different reasons. Just as the State had already done for young people, it was adamant in its policy of providing housing for other segments of the population who could not find homes, also supplying loans on easy terms. The only housing the State constructed was intended for low-income persons. Another bill submitted in 1999 had met with fierce opposition and had been resubmitted in an attempt to arrive at an acceptable formula. Landlords' income from real estate was low and barely covered the most basic security service to protect the property. The intention behind the draft occupants' union law had been solely to determine a tenant's share in property maintenance costs and had no implications for civil or criminal liability.

23. Mr. TAWFIK (Egypt) said the housing problem in Egypt was complicated. There were no official figures, but an estimated 1.2 million units were needed. The owners of between 1 and 2 million housing units preferred to leave them empty rather than let them for derisory rents that prevented them from providing proper maintenance or protection. The purpose of the new law had been to encourage owners to lease their property on a supply-and-demand basis. The figures supplied by the authorities did not include housing units on newly reclaimed agricultural land, but it seemed obvious that farmers who moved onto such land would build houses. Another positive development was that beach homes were being increasingly used as permanent dwellings. Infrastructure was also important, it would be more practical for the Government - rather than building homes for other than low-income people - to offer building loans and subsidized infrastructure. With regard to people living in cemeteries, he explained that they dwelt frequently in two-room structures with sanitary facilities. Those houses had been built in accordance with the ancient tradition of visiting deceased relatives but had fallen into disuse.

24. Mr. Ceausu (Vice-Chairperson) took the chair.

25. The CHAIRPERSON praised the Government's intention to reduce population growth to under 1.5 per cent. He wondered how it intended to do so and whether voluntary abortion would be permitted if it was not already allowed.

26. Mrs. JIMÉNEZ-BUTRAGUEÑO, referring to article 9, said that despite the closeness of family ties in Egypt, she wondered what arrangements were made for old people living alone. Were their pensions adequate for a decent standard of living? Were any special homes provided for them?

27. Mr. KHALIL (Egypt) replied that pensions were increased on an annual basis, at the same time as salaries, according to the law already described in detail. The authorities played a

significant role in housing for the elderly, as did other associations and civil society, with the assistance of all the relevant government bodies. Efforts to reduce population growth were continuing and included awareness and education campaigns for women in rural areas in an attempt to lower the birth rate. They were encouraged to use contraceptive methods in order to safeguard female health, and to seek safe and hygienic delivery. Abortion was prohibited under Egyptian law.

28. The CHAIRPERSON invited Committee members to put to the Egyptian delegation questions relating to article 12 on the right to health (questions 33-36 of the list of issues).

29. Mr. SADI said that, since the impact of Cairo's pollution in terms of health and economic cost was obvious, was there any determined policy to reverse the threat to people's health in urban areas? He was puzzled that when all Western and many Middle Eastern countries had banned the use of leaded petrol, Egypt stood out as a country that had the manufacturers' catalytic converters removed from automobiles simply to allow drivers to use leaded petrol. He would also have thought that the authorities' concern for people's health would have prompted them to heed the World Health Organization's recommendation that cigarette smoking should be banned in public places.

30. Mr. TEXIER suggested that quarantine could hardly be used as a measure for AIDS prevention as mentioned in the report (para. 188), although it might be effective to prevent the spread of the disease. It also contravened the conventional anti-discrimination provisions, particularly since the disease had moral implications. He recommended that clear, frank advertising campaigns on the use of condoms would be the most effective course of action. Did any such campaigns exist in Egypt? How extensive was HIV/AIDS in the country?

31. Mr. CEVILLE said the international community had widely condemned female genital mutilation as being detrimental to women's health, as had the Committee in its draft general comment on health. He was aware that the Government's efforts to eradicate the practice had met with fierce opposition and had even been challenged in the courts. He wished to know the exact legal situation regarding the practice and whether it was prohibited by any laws or decrees.

32. Mr. HUNT expressed disappointment at the brevity of the written reply to question 3 on the list of issues and suggested that the treatment of mental illness had evolved considerably since Egypt's enactment of Act No. 119 of 1952. He hoped that Egypt's second periodic report would provide more detailed information concerning the regime and numbers of the mentally ill, as well as the relevant safeguards and facilities. He referred the authorities to the Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health (General Assembly resolution 46/119 of 17 December 1991), which provided guidance. Meanwhile, could the delegation comment on the general situation of the mentally ill in Egypt?

33. He asked whether testing for HIV/AIDS was a precondition for issuance of work or residence permits for people entering Egypt. If so, how were those to be tested selected? He also wished to know whether, in addition to the rural clinics briefly mentioned in the report (paragraph 173), the Egyptian authorities were addressing the issue of equitable distribution of health services, goods and facilities between urban and rural areas and between poor and affluent areas.

34. Mrs. JIMÉNEZ-BUTRAGUEÑO said that the information on preventive medicine in paragraph 188 of the report related chiefly to children. Was there any action directed at adults, such as campaigns to encourage breastfeeding or testing for female cancers? Were there any preventive measures, such as vaccinations against influenza, in place for older people?

35. The CHAIRPERSON said that he would have liked more information on health facilities in rural areas: for example, the number of doctors per 1,000 population and the percentage of births in rural areas attended by a doctor or trained midwife. He was also interested in the distribution of health facilities between urban and rural areas.

36. Mr. GRISSA asked what advances had been made in Egypt in combatting the endemic disease of bilharziasis.

37. Mr. KHALIL (Egypt), replying to Mr. Sadi, said that there was a constantly increasing effort on the part of the Government to reduce environmental pollution. Environmental Law No. 4 of 1992 listed the common pollutants and means of dealing with them, as well as the fines to be imposed where offences were committed. The Government was also seeking to increase the distribution of lead-free petrol and the use of vehicles propelled by natural gas, particularly in respect of public transport. A decree had recently been issued requiring small public transport vehicles to convert to natural gas within one year, and lead-free petrol to be made more widely available, also within a year. It was hoped that those measures would lead to a considerable decrease in pollution, since public transport accounted for a large percentage of the vehicles on the road in Egyptian cities. Notable efforts were also being made in regard to smoking, both by the Government and by private organizations. Widespread campaigns had been directed towards changes in lifestyle that would reduce smoking. While difficulties were being encountered in bringing about such changes, campaigns in the media to increase public awareness of the dangers of smoking were meeting with some success. Currently, smoking in public places met with some disapproval. Efforts to prohibit it altogether were continuing.

38. In response to Mr. Texier, he said that Egyptian society was fortunate, insofar as respect for family traditions had helped to restrict the spread of AIDS in Egypt. There were about 1,000 AIDS sufferers in all, who were receiving humane treatment by modern methods in various hospitals. HIV/AIDS tests were given to all incoming travellers seeking residence or employment and all blood products were regularly screened. Personnel exposed to infection through their work were tested regularly. There was a widespread campaign to raise public awareness of the causes and effects of the disease in order to keep it from spreading any further in Egypt.

39. In response to Mr. Ceville, he said that the position of the law on female genital mutilation was that the operation was prohibited, that no doctor could perform it for other than medical reasons, and that any other person who did so would be charged with the unlawful practice of medicine. The ban had been successful. The practice was no longer encountered in urban areas and was known to be decreasing elsewhere. In response to Mr. Hunt's question about the mentally ill, he explained that the 1952 Act mentioned in the reply to question 35 of the list of issues provided for the appointment of guardians to administer the property of mentally handicapped persons and did not deal with their care. Mental patients were cared for in regular hospitals which employed specialist staff trained in modern methods. On the question of

the distribution of health facilities, he said that the basis of the health network in Egypt was that there should be a health unit or dispensary providing primary health services in every village. There were central hospitals in the urban areas that covered the surrounding region and a major hospital in the capital city of each governate. Civil servants and government employees had their own care network. Every effort was being made to increase the amount of care provided through the use of the latest equipment and the most up-to-date methods. As far as preventive medicine was concerned, he said that Egypt attached great importance to vaccination and immunization. There were routine and well-publicized campaigns for the immunization of children and the degree of coverage achieved was very high. Tetanus vaccinations for pregnant women had reduced the rate of neonatal and perinatal tetanus.

40. In response to Mr. Grissa's question about bilharziasis, he said that campaigns were being waged through the free health services for its prevention and cure. The disease had long been endemic in Egypt and had caused much suffering. It could now be cured quite simply in its early stages by means of pills that were provided free of charge. Care was available for those who had been infected before the recent advances in treatment. The disease had been successfully contained and its side-effects greatly reduced.

41. Mr. SALAMA (Egypt) said that, from the human rights point of view, Egypt's healthcare policy attached great importance to the principles of non-discrimination and equitable distribution. For instance, annual figures for the number of rural health units from 1992 to 1997 showed an increase of 9.8 per cent. Another example was legislation regarding the handicapped, for whom by law, 5 per cent of government jobs were reserved. A significant feature of healthcare, particularly in respect of the elderly and mentally ill, was the effect of the strong culture of solidarity in Egyptian society. The single most important administrative measure, however, had been the availability of free healthcare for all in Egypt.

42. Mr. HUNT asked whether all incoming foreigners were tested for HIV/AIDS or only some. In the latter case, how were they selected? Also, did the 9.8 per cent increase in the establishment of health units in rural areas between 1992 and 1997 parallel or exceed the increase in population over that time?

43. Mr. PILLAY welcomed the statement that the practice of female genital mutilation had been outlawed. He wondered however, whether it had in fact only been driven underground. The delegation claimed that it had been reduced to a few isolated cases. According to information he had received, 80 per cent of the female population were victims of the practice, while a report of the United States State Department said that 90 per cent of married women had undergone the operation.

44. Mr. CEVILLE asked whether there was a law specifically banning the practice and, if so, what penalties were imposed for breaking that law.

45. Mr. THAPALIA said that, according to the most recent World Development Report, access by the population to safe water had declined from 90 per cent in 1982 to only 84 per cent in 1995. What was the reason for the decline?

46. Mr. SALAMA (Egypt) said that he was not aware of any such decline but would look into the matter and find what the reasons were, if any. Female genital mutilation was prohibited by ministerial decree and persons who engaged in it were penalized for exercising a medical function without authorization. He agreed, however, with Mr. Pillay that merely banning practices did not make them disappear. Female excision was part of tradition and traditions did not vanish overnight. Through education, however, and campaigns in the media, more and more people were realizing its negative impact. He found Mr. Pillay's figures very surprising and strongly doubted their accuracy, but he had no official figures with which to counter them. He could only reaffirm that progress had been made, as had been recognized by many NGOs working in the field.

47. He assured Mr. Hunt that there was no discrimination in the testing of foreign visitors. Two factors were taken into account, the country of origin and the reason for the visit. For purposes of ordinary tourism, no testing was required. When tests were carried out on persons who wished to work or reside in the country, they were not for HIV alone. There was no phobia about HIV/AIDS in Egypt, but it was well known that Africa had 50 million carriers of the virus. Special attention was paid, therefore, to visitors from Africa. That was not discrimination, but simply targeting the risk.

48. Mr. GRISSA said that he was surprised to hear that the ban on female genital mutilation had been imposed by ministerial decree. Should there not be an actual law, by Act of Parliament, to that effect?

49. Mr. KHALIL (Egypt) said that the ban on female genital mutilation was by law. The ministerial decision had been taken in order to ensure that the operation could not be carried out in hospitals without parental consent. If a doctor decided the operation was medically necessary, he was answerable. Even if a girl's parents were to ask for it, a doctor could not perform the operation if it was not considered medically necessary. He felt that he must question the figures that had been quoted. What sample had been used to arrive at the figure of 90 per cent of married women having undergone the operation? He reiterated that female genital mutilation was currently a crime. No young girl could be subjected to it. The practice might perhaps subsist in remote rural areas but it was becoming very rare.

50. Mr. GRISSA said that the problem was that, where the operation was performed, it was done not by doctors in hospitals but by barbers or untrained midwives in villages, using dirty instruments. He asked whether there was any example in Egypt of a person having being convicted and imprisoned for having carried out the operation. He believed that the practice was most frequent in Upper Egypt.

51. Mr. PILLAY said that he had taken the information that 80 per cent of the female population had undergone female genital mutilation from a report by the Committee against Torture. The figure of 90 per cent of married women had been taken from the 1999 Report on Human Rights of the United States State Department and referred to a study carried out among married women, both Muslim and Christian, in 1995.

52. Mr. KHALIL (Egypt) said that he would ascertain the number of convictions and forward it to the Committee at a later stage. He noted that the 1995 study mentioned by Mr. Pillay had

been carried out before the ban was instituted. It referred, therefore, to older married women who would have undergone the operation at least 20 years before. It did not reflect current conditions in respect of young girls.

53. Mrs. Bonoan-Dandan resumed the Chair.

54. The CHAIRPERSON invited the Committee to proceed to the next set of issues, concerning articles 13 to 15 of the Covenant.

55. Mr. ANTANOVICH said that the information provided on education in Egypt showed a curious combination of positive and negative trends. The increase in the total investment in education was impressive. According to paragraph 206 of the report, there had been a fourfold increase in spending since 1991. Paragraph 207 went on to state that the duration of compulsory education had been increased from six to eight years, by making the post-primary stage compulsory. The reply to question 40 of the list of issues included the information that, through annual increments, the basic salary of teachers had risen by 170 per cent. Other information, however, gave a negative impression. Despite the increase in spending, there had been a decline in the quality of education. Women, in rural areas particularly, continued to be three times more likely to be illiterate than men. The cost of primary education weighed more heavily than ever on the poor. A recent report by UNICEF indicated that there had been no significant improvement in education for boys and that drop-out rates remained glaringly high. He would like to know what steps, if any, the Government was taking to address all those problems.

56. Mr. SADI asked how it was possible that 40 per cent of women in Egypt were illiterate - according to official United Nations figures - given that education in Egypt was compulsory. He would also like to know whether it was Government policy to fund private schools, since the private sector as well as the State sector had a role to play in education. He would like to know whether special legislation or guidelines existed with regard to religious schools and how such schools were funded.

57. Mr. MARCHAN ROMERO, noting that, pursuant to article 15 of the Covenant, States parties undertook "to respect the freedom indispensable for scientific research and creative activity", said that the written reply to question 42 contained some contradictions regarding the legal basis for censorship in Egypt. The reply stated that freedom of opinion, scientific research, literary, artistic and cultural creativity, printing and publication was guaranteed, but then went on to list various items, such as films and songs, that could be subject to censorship in order to protect morality or the higher interests of the State. That suggested that the State judged whether or not a book, for example, was acceptable before it was published, rather than allowing it to be published and then making a decision about censoring it only if complaints were made about it. That was not in conformity with article 15. The initial report also stated that, under the Constitution, censorship of newspapers was prohibited "except in time of war or emergency or in the interests of national security". That statement gave him particular cause for concern because he himself came from a part of the world where a state of emergency had been declared in the past, during which all demonstrations against the State had been suppressed. He asked the delegation to comment on censorship in Egypt and to indicate the number of works of art that were censored or banned by the State.

58. Mr. WIMER ZAMBRANO, endorsing Mr. Marchan Romero's comments, requested information about the scope of censorship in Egypt and the instruments used to implement it. He would like to know whether books on social sciences were subject to censorship and whether teaching and research were affected. He expressed concern that censorship could be applied in advance rather than after the event, which could result, among other things, in restrictions on the activities of groups that had political aims. He would also like to know whether Egypt had any Government institution or department for the protection of minority languages and cultures.

59. Mr. CEAUSU said that the written reply to question 42 stated that a work could be banned if it contained anything detrimental to religion. He would therefore like to know whether a legal work, for example, could be interpreted as detrimental to religion - and consequently banned - if it argued in favour of the amendment or suppression of a provision of Islamic law, such as a provision governing marriage.

60. Mr. GRISSA echoed the questions asked about censorship by the previous three speakers.

61. Mr. HUNT asked whether or not corporal punishment was permitted in State and private educational institutions. He would also like to know whether compulsory primary education was still provided free of charge. If fees had been introduced during the 1990s, did that step form part of the macroeconomic structural reforms that had been introduced during that period?

62. Mr. THAPALIA said that, according to the World Development Report 1999/2000, Egypt's public expenditure on education had fallen from 5.7 per cent of GNP in 1980 to 4.8 per cent in 1996. He would like to know whether that figure was correct and, if so, why expenditure was decreasing. He would also like to know what percentage of GNP was allocated to education for the year 2000.

63. Mr. SALAMA (Egypt) said that, in Egypt, there was a free press and people enjoyed freedom of expression. In the previous year, there had been only three cases in which ministers had sued journalists for defamation that went beyond the limits of freedom of expression. There was no censorship of any type of literature and the only works of art that were censored were those that contained pornography. There were specific rules governing religious writings; however, they were not applied in advance of publication but could be invoked in court if someone made a complaint about something that had already been published. Enlightened interpretations of Islamic law, as in the example posited by Mr. Ceausu, were permitted and had actually contributed to the positive developments mentioned by the delegation in many fields, such as women's and family issues.

64. There was no mechanism in Egypt for the protection of minorities, since Egypt had never experienced any problems in that regard.

65. Corporal punishment was no longer permitted in schools and those guilty of using it could be prosecuted under penal law. Compulsory education was still free, although nominal fees might be payable; however, the burden on families that sent their children to school could still be high. The fact that the number of girls who dropped out of school was three times as high as the number of boys was not the result of discrimination but of the long-standing tradition that

the principal role of women was to raise a family. Therefore, though education was compulsory, many families had in the past decided not to send their daughters to school. However, that traditional attitude was changing. With regard to religious educational institutions, there was an internationally renowned Islamic university in Egypt that was a pillar of enlightened Islam and that played an important role in counterbalancing extremist ideas.

66. Mr. KHALIL (Egypt) said that the period for which education was compulsory - the phase of basic education - had recently been extended from eight to nine years. It consisted of six years of primary education and three years of preparatory education. The Ministry of Education held annual conferences on the development of the curriculum; as a result, the subject of human rights had already been introduced into the curricula of primary and preparatory schools. A conference was due to be held in 2000 to develop a human rights syllabus for secondary schools. Efforts were under way to provide schools with new technology and to introduce the subject of computing into the curriculum.

67. Female illiteracy was a problem that affected the older generation of women in particular; it had largely been overcome with regard to the younger generation. The Government of Egypt was making considerable efforts to promote the interests of older women in both political and social fields.

68. In reply to Mr. Thapalia's question, he said that 14.8 billion Egyptian pounds had been allocated to education under the 1997-2002 five-year plan, as mentioned in the written replies. That figure represented 17 per cent of GDP and part of the increased funding would be spent on improving teachers' salaries. New training programmes for teachers had also been established.

69. Mr. WIMER ZAMBRANO said that he would like more information on the situation of minorities in Egypt, particularly Copts and Jews. With regard to censorship, he had received information that the American university in Cairo had been prevented from ordering a number of publications because they were considered to be defamatory to religion, culture and traditions, according to an official Government statement. He would therefore like further information on the scope of censorship and the way in which it operated.

70. Mr. ANTANOVICH requested an answer to his previous question on the glaringly high school drop-out rate among boys and what was being done to address that problem.

71. Mr. MARCHAN ROMERO said that he would like a reply to his previous question on the contradiction between the delegation's statement that there was no censorship in Egypt and the information provided in the written reply to question 42.

72. Mr. SALAMA (Egypt) said that films were the only medium that were subject to censorship before release, because if they contained, for example, pornographic material, it would be too late to censor them after release. In all other areas, censorship was applied only if a complaint was made against the publication or work in question. With regard to the American university, there had been two cases where the university itself had withdrawn books from the curriculum following complaints from the parents of students. The parents in question, though they were from the more enlightened section of Egyptian society, had still found the books unacceptable: the first book had been considered defamatory to religion and the second had been

considered pornographic. However, since the question of what was acceptable and what was not acceptable was subjective, such works could be censored only by order of the courts if a complaint was made after publication.

73. The parents of boys who dropped out of school were fined; however, it was recognized that that measure was not having sufficient effect. Campaigns aimed at reducing the drop-out rate were being conducted by various institutions such as the Higher Council on Motherhood and Childhood, which were trying to address the problem in a creative manner rather than merely by using legislative measures.

74. Regarding minorities, the number of Jews in Egypt was very small and they had never suffered from discrimination. There had been some instances in the past of discrimination against Copts and other non-Muslims; however, it had been perpetrated only by a small number of Islamic extremists and was not, therefore, a significant problem.

75. Mr. PILLAY said he had obtained information that cases in which a law or decree was being challenged could not be taken directly to the Supreme Constitutional Court, but had to be brought first before a civil, criminal or administrative court, where a judge would rule on the constitutionality of the claim. Only if that judge ruled that the claim was valid would the case be referred to the Supreme Constitutional Court. He would like to know if that information was correct.

76. Mr. KHALIL (Egypt) said that it was true that such cases had to be referred by minor courts to the Supreme Constitutional Court. However, many such cases had been successfully brought before the courts, as indicated in the country report and the written replies to the list of issues.

77. To conclude, he wished to express his appreciation of the constructive dialogue that had taken place between his delegation and the Committee.

78. The CHAIRPERSON thanked the delegation for its participation in the discussion and expressed the hope that the concluding observations to be drawn up by the Committee on Egypt's initial report would be addressed in the country's next report.

The meeting rose at 6.05 p.m.